

REMARKS

In response to the Office Action dated June 16, 2005, Applicants respectfully request reconsideration based on the following remarks. Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claims 1-12, 14-34 and 36-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cai in view of Rauba. This application was filed after November 29, 1999 entitling this application to the benefits of 35 U.S.C. § 103(c). Applicants assert that the subject matter of this application and Rauba were, at the time of the invention of the subject matter of this application, owned by the same party or subject to an obligation of assignment to the same party, namely BellSouth Intellectual Property Corporation. Accordingly, under 35 U.S.C. § 103(c), Rauba cannot be applied as prior art against this application. Thus, the rejection of claims 1-12, 14-34 and 36-43 should be withdrawn.

Claims 13 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cai. This rejection is improper as claim 13 depends from claim 10, which was rejected based on Cai in view of Rauba and claim 35 depends from claim 32, which was rejected based on Cai in view of Rauba. It is not clear how claims 13 and 35 can be rejected based on Cai alone. Thus, the rejection of claims 13 and 35 should be withdrawn.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees

BEST AVAILABLE COPY

to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

By: 

David A. Fox  
Registration No. 38,807  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone (860) 286-2929  
Facsimile (860) 286-0115  
Customer No. 36192

Date: August 16, 2005

REST AVAILABLE COPY